D.B.CIVIL WRIT PETITION NO.2720/2006
Mahendra Pal Sharma Vs. The State of Raj. & Ors.

DATE OF ORDER:29.05.2006

HON'BLE MR.JUSTICE N.N.MATHUR
HON'BLE MR.JUSTICE MANAK MOHTA

Mr.D.N.Yadav for the petitioner

BY THE COURT(PER HON'BLE MR.MATHUR J.)

By way of instant petition under the label of public interest litigation, the petitioner seeks direction to transfer the Criminal Case No.116/2006, Police Station, Shastri Nagar to the C.B.I. He has also claimed compensation in the sum of Rs.15 Lacs. A further direction has been sought for initiating contempt proceedings against the police officers. It is averred that the petitioner's daughter Mst.Sandhya has been arrested on the charge of murder of one Amit Kumar Gehlot. An application was filed before the court of learned Magistrate to the effect that police had tortured Mst.Sandhya while in custody. The learned Magistrate has directed for the medical examination of accused Sandhya.

Having considered the entire mater, we are of the view that no issue of public interest is involved in the petition. The petitioner's daughter Mst.Sandhya is a suspect in a murder case. She has been taken into custody by the police having found

prima facie case against her. As regards the torture in police custody, the learned Magistrate has already given appropriate directions. If the petitioner is not satisfied with the investigation, he can move to the higher police authorities. No issue of public interest is involved in the instant petition. The petition stands dismissed.

(MANAK MOHTA) J. **(N.N.MATHUR) J.**

BKS/-